### COOPER & DUNHAM LLP

ATTORNEYS AT LAW

1185 AVENUE OF THE AMERICAS, NEW YORK, NEW YORK 10036 TELEPHONE: (212) 278-0400

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CHRISTOPHER C. DUNHAM NORMAN H. ŽIVIN JOHN P. WHITI' WILLIAM E. PELTON ROBERT D. KATZ DONNA A. TOBIN RICHARD S. MILNER RICHARD F. JAWORSKI PAUL TENG PEOPO C. FERNANDES MICHAEL P. MORANO JASON S. MAKIN KEITH J. BARKAUS HARVEY AGOSTO ANTHONY V. FLINT ARIAN A BARVALAIF

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> OF COUNSEL DONALD S. DOWDEN JOHN R. CARBER MARK A. FARLEY

SCIENTIFIC ADVISORS BRIAN J. ANOS, PH. D. NICHOLAS F. MUTO, PH.D. JOSEPH B. CRYSTAL, PH.D. ARMAND L. SALBONI, M. PHIL. MURIEL M. WBERTO, PH.D. ANNE C. MARINOVIC, PH.D. ANTHONY C. KHONG, PH. D. JOHN X, MABERMAN, PH. D.

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NARCSM SRITHARAN

·TO	: Examiner Samuel Liu
COMPANY/FIRM	: USPTO Group Art Unit 1653
FACSIMILE NO.	: <del>800-343-8636</del> 703-872-9306
FROM	: John P. White
	OF PAGES, INCLUDING COVER PAGE:
DATE	: <u>December 22</u> , 2003

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE TO (212) 278-0400.

Further to your request made earlier today, I am faxing herewith copies of the receipts for deposits made with the American Type Culture Collection in connection with U.S. Serial No. 09/043,944.

DOCKET: 0575/48231-A-PCT-US:

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# American Type Culture Collection

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# BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

#### INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3 AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Cooper & Dunham, LLP Attention: John P. White 1185 Avenue of the Americas New York, NY 10036

Deposited on Behalf of: The Trustees of Columbia University in the City of New York
Docket No.: 48231

Identification Reference by Depositor:

ATCC Designation

Plasmid, pMX8

97278

Plasmid, P1-1E

97279

The deposits were accompanied by: \_\_ a scientific description \_ a proposed taxonomic description indicated above.

The deposits were received <u>September 14, 1995</u> by this International Depository Authority and have been accepted.

### AT YOUR REQUEST:

X We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years after the date of deposit, and for a period of at least five years after the most recent request for a sample. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested <u>September 22, 1995</u>. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Frank Simione, Acting Director, Patent Depository

Date: September 25, 1995